

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TAMMY ALICE HENDERSON,

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Plaintiff,

)

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vs.

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Case No. 4:05CV2081 CDP

)

ST. LOUIS COUNTY

)

JUSTICE SERVICES,

)

)

Defendant.

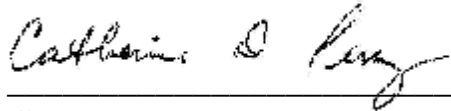
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MEMORANDUM AND ORDER

Defendant has filed a motion to dismiss this case for failure to state a claim and lack of personal jurisdiction, pointing out that the Department of Justice Services cannot be sued in its own name. Plaintiff, who is representing herself, has not responded to the motion and her time for doing so has expired. This is an employment discrimination case, and plaintiff may be mistaken as to the legal entity who actually employed her. If it was in fact St. Louis County, that defendant could be substituted for the Department of Justice Services, and dismissal would not be required. I will order plaintiff to respond to the motion, and to clarify who her actual employer was. If plaintiff fails to respond to this order, I will grant the motion and dismiss the case.

Accordingly,

IT IS HEREBY ORDERED that plaintiff shall respond to the defendant's motion to dismiss, in writing, no later than **March 15, 2006**. **Plaintiff is warned that failure to comply with this order will result in the dismissal of her case.**

A handwritten signature in cursive script, appearing to read "Catherine D. Perry", is written above a horizontal line.

CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 22nd day of February, 2006.